



CITY COUNCIL

Meeting Agenda

***REGULAR MEETING
COUNCIL CHAMBERS***

***MONDAY, OCTOBER 10, 2011
7:00P.M.***

*The Regular Meetings of City Council are filmed and can be viewed
LIVE while the meeting is taking place or at your convenience at any time after the meeting on
the City's website at www.ReadingPa.gov, under Info and Downloads/Meetings and Agendas*

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Steve Elmarzouky, Islamic Center of Reading

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS

- Commendation recognizing Fire Prevention Week, accepted by Fire Marshal Todd Iaeger
- Commendations by the Fire Chief
 - Ronald Frey
 - Robert Himes
 - Michael Bruner
 - Timothy Sullivan
 - Robert Stichter
 - Thomas Rehr
 - John Diehm
 - Steven Johnson
 - Andrew Kutz
 - Brian Thorpe

- John Dundore
- Jason Licwinko
- Thomas Leszczynski
- Lawrence Fisher
- Michael Welsh
- Roger Spadt
- Donald Hirsch
- Bret Mack
- Kirk Litzenberger
- Richard Kuhn
- Steven Serba
- John Seyfert
- Sean Hart

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.

4. APPROVAL OF AGENDA

A. MINUTES: Council meeting of September 26, 2011

B. AGENDA: Council meeting of October 10, 2011

5. Consent Agenda Legislation

- None

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

9. ORDINANCES FOR FINAL PASSAGE

Bill 51-2011 - amending Section 27-501 of the City of Reading Zoning Ordinance by amending the Map which provides for the boundaries of the Districts enumerated in Section 27-501. Section 27-501 shall be amended to provide for the rezoning of a parcel of land currently located within the City of Reading's R-1 zoning district to H-M, heavy manufacturing. The parcel of land to be rezoned from R-1 to H-M is that portion of a parcel of land located partially within Muhlenberg Township and partially within the City of Reading, which is located within the City of Reading and is bounded by Leiczs Bridge Road and State Route 12 having Berks County parcel identification number 530814427905, as further described in a deed recorded in the office in and for the Berks County Recorder of Deeds at deed book volume 1914 pg. 0112 ***Introduced at the September 12 regular meeting; public hearing September 20; Advertised September 21 & September 26***

Bill No. 54-2011 - amending the 2011 City of Reading Full Time Position Ordinance by creating one (1) Recycling Fleet Foreman and one (1) Clerk Typist II in Recycling ***(Man Dir) Introduced at the Sept 26 regular meeting***

Bill No. 55-2011 - amending the 2011 City of Reading General Fund Budget by authorizing the transfer of funds from the Human Resources/Risk & Safety Division Self Insurance Fund Water/Sewer Main Break Line Item to Self Insurance Fund Incurred Liability Claims and Consulting Services Line Items to cover unbudgeted amounts in said line items ***(Law) Introduced at the Sept 26 regular meeting***

Bill No. 56-2011 - amending Chapter 5, Code Enforcement of the Codified Ordinances of the City of Reading by adding Alleys and Recycling Storage to existing Quality of Life Violations ***(Law) Introduced at the Sept 26 regular meeting***

Pending Legislation

Bill No. 44-2011 - authorizing the Mayor to execute a lease between the City of Reading and the Olivet Boys and Girls Club for a portion of the real estate situate in Pandora Park **(Law/Mayor)** *Introduced at the July 11 regular meeting; Tabled at the July 25 regular meeting; Public Meeting held July 27; Tabled at the August 8 regular meeting; Pending Zoning Hearing Board Decision in October*

Bill No. 50-2011 - authorizing the Mayor to execute the Memorandum of Understanding between the Reading Berks Association of Realtors and the City of Reading for the creation of the CORE Program within Reading **(Law/Council Staff)** *Introduced at the September 12 regular meeting; MOU being finalized*

Bill No. 53-2011 – amend the zoning ordinance by changing the duties of the zoning administrator relating to and adding Conditional Use Procedures *Introduced at the Sept 26 regular meeting; Public Hearing scheduled for 10-18 at 5 pm; Eligible for enactment at the October 24th regular meeting*

Bill No. 52-2011 – amending Chapter 11, Housing – Rental, Part 1, providing for the issuance, denial, or revocation of rental housing permits; authorizing the Zoning Administrator to approve or deny the issuance of zoning permits for previously registered rental units and to deny non-conforming applications; providing for annual rental housing permits; establishing a surcharge for failing to apply for timely renewal of a rental housing permit; proscribing the failure to timely apply for a new rental permit following the acquisition of rental property and declaring the same an offense; providing for the imposition of penalties for operating rental housing without applying for a required permit; providing for the revocation of rental housing permits granted upon applications containing material misrepresentations, errors or omissions; and repealing Chapter 11, Part 1, Exhibit A **(Bus Analyst)** *Introduced at the Sept 26 regular meeting*

BUDGET RELATED ORDINANCES ELIGIBLE FOR ENACTMENT IN NOVEMBER

Ordinance – levying the Real Estate taxes for the fiscal year beginning the first day of January, 2012, and ending the thirty-first day of December, 2012 at the rate of seventeen and two hundred fifty-two thousandths mills (.017252) on the dollar, or seventeen dollars and twenty-five point two cents (\$17.252) on each one thousand dollars **(Mayor)** *Introduced at the October 3 special meeting*

Ordinance – amending Chapter 24 Part 2B Home Rule Earned Income Tax Section 24-221 through Section 24-235 of the City of Reading Codified Ordinances. Section 24-221 through Section 24-235 shall provide for a tax of one and four tenths percent

(1.4%) on all earned income and net profits generated by residents of the City of Reading. This tax of one and four tenths percent (1.4%) on all earned income and net profits generated by residents of the City of Reading shall be in addition to the tax collected under 24-201 et seq. of the City of Reading Codified Ordinances **(Mayor)** *Introduced at the October 3 special meeting*

Ordinance – providing for a tax of up to a maximum of one and one tenth percent (1.1%) on all earned income and net profits generated in the City of Reading by non-residents of the City of Reading **(Mayor)** *Introduced at the October 3 special meeting*

Ordinance – establishing the full-time employee positions for the City of Reading for the fiscal year 2012 **(Mayor)** *Introduced at the October 3 special meeting*

Ordinance – establishing the budget for the funds of the City of Reading including revenues and expenses for the fiscal year beginning January 1, 2012 and ending December 31, 2012 **(Mayor)** *Introduced at the October 3 special meeting*

Ordinance – establishing the Capital Improvement Plan budget for the City of Reading including capital expenditures and revenues for the fiscal year beginning January 1, 2012 and ending December 31, 2012 **(Mayor)** *Introduced at the October 3 special meeting*

Ordinance – establishing the 2012 solid waste trash removal fee for the City of Reading at \$204.65 per year payable quarterly **(Mayor)** *Introduced at the October 3 special meeting*

Ordinance - establishing the 2012 solid waste recycling fee for the City of Reading at \$81.03 annually **(Mayor)** *Introduced at the October 3 special meeting*

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance - amending the City of Reading Fee Schedule by reducing the annual rental registration fee **(Bus Anal)**

B. Ordinance - amending the 2011 City of Reading Full Time Position Ordinance by reducing the number of Sergeant positions in the Reading Police Department from 26 to 23 **(Man Dir)**

11. RESOLUTIONS

A. Resolution – amending the CDBG Acton plan as follows:

- Allocate \$100,000.00 of unprogrammed HOME funds to Habitat for Humanity for renovation of agency-owned properties throughout the City. Total project budget \$200,000.
- Cancel 2010 Blighted Property Review Committee Acquisition and Rehabilitation funding of \$78,000 and cancel the 2010 Neighborhood Home Ownership project funding of \$100,000 and reallocate \$178,000 to fund Habitat for Humanity for blighted property remediation through acquisition and renovations of properties, new construction, and/or repairs to owner-occupied properties in the target neighborhoods. With Habitat's proposed contribution, the total project budget will be \$600,000.

B. Resolution – amending the CDBG Acton plan as follows:

- Provide \$23,859 in 2011 CHDO operating funds and \$47,178 in 2012 CHDO operating funds to increase rehabilitation capacity.
- Provide HOME Admin funds as necessary for NHS to administer and coordinate acquisition, rehabilitation and home ownership programs for affordable housing in the target neighborhood(s).
- Provide additional HOME Entitlement or CHDO Reserve funds for projects identified as appropriate.

C. Resolution – amending the CDBG Action Plan as follows:

- Provide \$400,000 in unprogrammed HOME funds to Berks Housing Development Partnership to develop, manage and administer affordable housing programs

D. Resolution – appointing William Bender to the Citizens Advisory Board (**Admin Oversight**)

E. Resolution – reappointing Dennis Straub as an alternate to the Animal Control Board (**Admin Oversight**)

F. Resolution – appointing Eddie Moran to the Reading Recreation Commission (**Admin Oversight**)

G. Resolution – appointing Otis Smith to the Reading Recreation Commission (**Admin Oversight**)

H. Resolution – appointing William Hall to the Reading Recreation Commission (**Admin Oversight**)

12. PUBLIC COMMENT – GENERAL MATTERS

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, October 10

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Wednesday, October 12

Budget Review Meeting – Penn Room – 5 pm

Saturday, October 15

Budget Review Meeting – Penn Room - 9 am

Monday, October 17

Finance Committee – Council Office – 5 pm

Public Works Committee – Council Office – 5 pm

Work Session – Penn Room – 7 pm

Tuesday, October 18

Public Hearing – Zoning Ordinance Amendment 5 pm

Wednesday, October 19

Budget Review Meeting – Penn Room – 5 pm

Saturday, October 22

Budget Review Meeting – Penn Room – 5 pm

Monday, October 24

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Wednesday, October 26

Public Hearing – General Fund Budget – Council Chambers – 5 pm

Monday, October 31

Public Hearing – Capital Improvement Plan Budget – Council Chambers – 5 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, October 10

Fire Civil Service Board – Penn Room – 4 pm

6th & Amity Neighborhood & Playground Assn – 6th & Amity Fieldhouse – 6:30 pm

Tuesday, October 11

Airport Authority – Airport Authority Office – 8:15 am

Water Authority Workshop – Penn Room – 4 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, October 12

Zoning Hearing Board – Council Chambers – 5:30 pm

Center City Community Organization – Holy Cross Church – 6 pm

Thursday, October 13

Police Pension Board – Penn Room – 10 am

Monday, October 17

Library Board – 113 S 4th St – 4 pm

Tuesday, October 18

Park and Recreation Advisory Committee – Pendora Park – 5 pm

Charter Board – Penn Room – 7 pm

HARB – Planning Conference Room – 7 pm

Wednesday, October 19

Officers and Employees Pension Board – Penn Room – 1:30 pm

Diversity Board – Penn Room – 4:30 pm

Redevelopment Authority – Redevelopment Office – 5:30 pm

Thursday, October 20

Dare 2 Care – Bethel AME Church – 5:30 pm

Blighted Property Review Committee – Council Chambers – 6 pm

Southeast People's Voice – St John's UCC – 6 pm

Mulberry & Green Citizens Committee – St Luke's Lutheran Church – 6:30 pm

Friday, October 21

Fire Pension Board – Penn room – 10 am

Monday, October 24

DID Authority – DID Office – 645 Penn St 5th Floor – noon

BARTA – BARTA Office – 3 pm

**City of Reading City Council
Regular Business Meeting
Monday, September 26, 2011**

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Pastor Olga Moriera from Path of Holiness Church.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Acosta, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Mayor T. McMahon
Managing Director C. Geffken
Sergeant at Arms, Captain R. Schafer

PROCLAMATIONS AND PRESENTATIONS

The Mayor issued the following Proclamations:

- recognizing LGBT history month, accepted by Reading Pride Celebration
- recognizing Ernest Schlegel for his commitment to diversity.

PUBLIC COMMENT

Council President announced that three (3) citizens were registered to address Council on non-agenda topics. He inquired if any member of Council objected to suspending the public speaking rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule was suspended. He reminded the citizens about the remaining public speaking rules.

Matt Healy, General Manager of Allied Waste Services, described the errors and omissions of the four (4) bids submitted for trash collection services. He stated that those errors and omissions should disqualify those bids from the City's consideration.

He noted the importance for bids to meet all the City's specifications. He noted the value of this contract to the company and to the employees of the Company.

Captain Robert Schafer, Sergeant at Arms at Council meeting for the past two (2) years, stated that this is his last week of service with the Reading Police Department as he is retiring this Friday. He expressed his appreciation for his successful career with the City of Reading and he expressed his thanks to all the fantastic City employees who work hard to protect the quality of life for Reading residents. He also noted his positive experiences working with various community groups around the City.

Following a standing ovation, City Council members and Mayor McMahon expressed their appreciation to the long service of Captain Schafer with the Reading Police Department.

Ricardo Nieves, of Northmont Blvd, expressed his appreciation for the enactment of the LBGT legislation and noted his appreciation that the City enacted this legislation ahead of the State and Federal governments. He noted the importance of Council's foresight and including this important non-discrimination legislation in the Human Relations ordinance. He thanked Council, the Administration, and Council staff for working to keep him informed about the overflow situation of Bernhart's Creek during the recent flood.

APPROVAL OF THE AGENDA & MINUTES

Council President Spencer called Council's attention to the minutes from September 12th Regular meeting of Council and the agenda for this meeting including the legislation listed under the Consent Agenda heading. He noted the need for the following additions and subtractions from the Agenda as follows:

- Addition to the Consent Agenda - Award Of Contract to EJB Paving at \$384,553.10 for various street paving projects.
- Introduction of four (4) ordinances:
 - Ordinance transferring funds within the Human Resources budget
 - Ordinance to add alleys and recycling to the Quality of Life ticket program
 - Ordinance amending the Housing Permit ordinance
 - Ordinance amending the City's Zoning ordinance
- Removal of the following resolutions from the Consent Agenda heading:
 - Resolution reallocating CDBG HOME funds from the Blighted Property Review Committee and reallocating them to Habitat to Humanity
 - Reallocating CHODO funds from the HOME program to NHS

- Removal of the following resolutions from the Resolution heading:
 - Removing the two (2) citizen appointments to the Rec Commission

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the September 12th Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda Legislation

Award Of Contract – to EJB Paving at \$384,553.10 for various street paving projects.

Award of Contract – for the installation of pedestrian signals at 5th & Bingaman Sts (Purchasing)

ADMINISTRATIVE REPORT

Managing Director Geffken read the report distributed to Council at the meeting covering the following:

- Update on the sewer main break
- Resignation of Director of Administrative Services and announcing that the Managing Director will take on the acting Administrative Services Director role
- Rental Inspection billing to begin at the end of the week
- New Online Accident Reports on the Police Departments page on the City's website

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2011 Admissions Tax Collections
- 2011 Real Estate Transfer Tax
- 2012 Municipal Sewage Rate Calculation

ORDINANCES FOR FINAL PASSAGE

Bill No. Bill 45-2011 - amending the City of Reading Codified Ordinances Chapter 1 Administration and Government, Section §1-186. Fiscal Provisions, Part 4 Bank and Investment Accounts (**Council Staff**) *Introduced at the September 12 regular meeting*

Councilor Acosta moved, seconded by Councilor Reed, to enact Bill No. 45-2011.

Bill No. 45-2011 was enacted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None – 0

Bill No. 47-2011 - amending the City of Reading Codified Ordinances Chapter 15 Parking Meters Section §15-502 Parking Meter Zones, Section §15-503 Saturdays, Sundays, holidays exempted, §15-504 time of parking limited by zone; hours of operation **(Law/Council Staff)** *Introduced at the September 12 regular meeting*

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 47-2011.

Council President Spencer described the changes to the parking meter zone ordinance.

Bill No. 47-2011 was enacted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner – 4

Nays: Acosta, Waltman, Spencer, President - 3

Bill 48-2011 - authorizing the Mayor or the Purchasing Coordinator, as his designee, to enter into an agreement with Municibid (online government auctions) to list various city property items for public sale online to the highest bidder **(Law)** *Introduced at the September 12 regular meeting*

Councilor Acosta moved, seconded by Councilor Reed, to enact Bill No. 48-2011.

Managing Director Geffken stated that the use of this PA firm will expand publicity of items placed up for sale by the City.

Mr. Younger stated that the City is able to use this approach due to its Home Rule Charter Authority.

Councilor Marmarou recounted the City's past practice of disposing of unwanted City property.

Councilor Goodman-Hinnershitz inquired if the Administration expects to receive an estimated amount of revenue. Managing Director Geffken stated that the revenue realized depends on the market and demand.

Council President Spencer inquired if Council will be reviewing a list of items to be placed for bid. Managing Director Geffken stated that a list of items for sale will be reviewed by City Council.

Bill No. 48-2011 was enacted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None – 0

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinances into the record:

A. Ordinance - amending the 2011 City of Reading Full Time Position Ordinance by creating one (1) Recycling Fleet Foreman, adding five (5) Equipment Operator II Positions and adding five (5) Equipment Operator I Positions **(Man Dir)**

B. Ordinance - transferring funds within the Human Resources budget

C. Ordinance - to add alleys and recycling to the Quality of Life ticket program

D. Ordinance - amending the Housing Permit ordinance

E. Ordinance - amending the City's Zoning ordinance

RESOLUTIONS

Resolution 171-2011 - appointing Vaughn Spencer and Marcia Goodman-Hinnershitz as Council representatives to the Recreation Commission **(Council Staff)**

Councilor Marmarou moved, seconded by Acosta, to adopt Resolution No. 171-2011.

Councilor Waltman noted the importance of successful implementation of the Rec Commission as it affects critical recreational programming for the City's youth.

Councilor Acosta described the process used to appoint citizens and noted the importance of selecting the proper candidates.

Councilor Goodman-Hinnershitz noted the long process to form the Commission and the importance of recreation as a community resource. She noted the great responsibility of the new Recreation Commission.

Council President Spencer noted the City and School District obtained assistance from the Executive Director of the Lancaster Recreation Commission Sue Landes who was able to impart her knowledge of Lancaster's 25 year old Recreation Commission.

Resolution No. 171-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None – 0

COUNCIL COMMENT

Councilor Marmarou noted the upcoming meeting regarding the Caum Home.

Councilor Reed stated that DID has expanded their services to clean the Penn Street Bridge. She thanked them for their assistance to improve the image of the City.

Councilor Reed described the successful International Poetry and Cultural event that occurred downtown over the past weekend.

Councilor Reed highlighted the discussion on the City's desire to obtain a casino in Reading and the need for the City to make strides in making an economic development decisions.

Councilor Goodman-Hinnershitz described the two (2) fires that occurred in District 2 over the past weekend. She expressed thanks to the Police and Fire Department. She requested a strategic meeting regarding planning for the 1400 block of Muhlenberg Street, where one (1) of the fires occurred. She stated that the fire occurred in a neighborhood where only one (1) vacant and blighted property exists and asked that this home be demolished as quickly as possible.

Councilor Goodman-Hinnershitz thanked the Reading PRIDE organization for their work to encourage the enactment of the LGBT legislation.

Councilor Goodman-Hinnershitz announced the October 6th Sunset event at the Pagoda starting at 6pm.

Councilor Sterner congratulated those honored with proclamations this evening and expressed his thanks to those who spoke during the Public Comment period.

Councilor Sterner expressed his congratulation to Captain Schafer on his retirement.

Councilor Sterner described his position on supporting the amendment to the Parking Meter Zones.

Council President Spencer noted the Police Department's quick apprehension of the perpetrator in a recent stabbing crime.

Council President Spencer noted the Sixth Ward reunion that occurred over the past weekend and various events that are occurring in neighborhoods around the City.

Council President Spencer congratulated Captain Schafer on his retirement and thanked him for his dedicated service.

Council President Spencer reviewed the Council meeting schedule.

Councilor Acosta moved, seconded by Councilor Reed, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City

Clerk

BILL NO. _____

AN ORDINANCE AMENDING SECTION 27-501 OF THE CITY OF READING ZONING ORDINANCE BY AMENDING THE MAP WHICH PROVIDES FOR THE BOUNDARIES OF THE DISTRICTS ENUMERATED IN SECTION 27-501. SECTION 27-501 SHALL BE AMENDED TO PROVIDE FOR THE REZONING OF A PARCEL OF LAND CURRENTLY LOCATED WITHIN THE CITY OF READING'S R-1 ZONING DISTRICT TO H-M, HEAVY MANUFACTURING. THE PARCEL OF LAND TO BE REZONED FROM R-1 TO H-M IS THAT PORTION OF A PARCEL OF LAND LOCATED PARTIALLY WITHIN MUHLENBERG TOWNSHIP AND PARTIALLY WITHIN THE CITY OF READING, WHICH IS LOCATED WITHIN THE CITY OF READING AND IS BOUNDED BY LEICZS BRIDGE ROAD AND STATE ROUTE 12, HAVING BERKS COUNTY PARCEL IDENTIFICATION NUMBER 530814427905, AS FURTHER DESCRIBED IN A DEED RECORDED IN THE OFFICE IN AND FOR THE BERKS COUNTY RECORDER OF DEEDS AT DEED BOOK VOLUME 1914 PG. 0112.

BACKGROUND

WHEREAS, the City of Reading Codified Ordinances sets forth Chapter 27, entitled "City of Reading Zoning Ordinance" which chapter has been amended from time to time; and

WHEREAS, Section 27-501 establishes and adopts the "Official Zoning Map" of the City of Reading; and

WHEREAS, the City Council of the City of Reading desires to amend the Official Zoning Map of the City of Reading, more specifically, portions of the Northwest portion of the City of Reading as depicted in Exhibit "A" attached hereto, in accordance with the provisions set forth in Section 609 of the Pennsylvania Municipalities Planning Code, as enunciated in 53 P.S. § 10609.

NOW, THEREFORE, the City Council of the City of Reading hereby ordains as follows:

SECTION 1. Section 27-501 of the City of Reading Zoning Ordinance is hereby amended so as to provide that:

A. That portion located in the City of Reading of a certain tract of land recorded at Deed Book Volume 1914, Page0112, in the Berks County Recorder of Deeds office, having a parcel identification number of 530814427905, bounded by Leiczs Bridge Road and State Route 12 and currently constituting a portion of the R-1 Zoning District, shall henceforth constitute a portion of the H-M, Heavy Manufacturing Zoning District.

SECTION 2. The zoning officer of the City of Reading is hereby authorized to take such actions as may be necessary to cause the Official Zoning Map of the City of Reading to be

amended in accordance with the terms and provisions of this Ordinance and shall take such other actions as may be necessary to effectuate the terms of this Ordinance.

SECTION 3. All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent with this Ordinance are hereby repealed.

SECTION 4. The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional or illegal, the validity of any other remaining provisions of the Ordinance shall not be effected thereby. It is hereby expressly declared as the intent of the City Council of the City of Reading that this Ordinance would have been adopted had such unconstitutional or illegal provision or provisions had not been included herein.

SECTION 5. All other provisions of Section 27-501, et seq., of the City of Reading Codified Ordinances shall remain unchanged and in full force and effect.

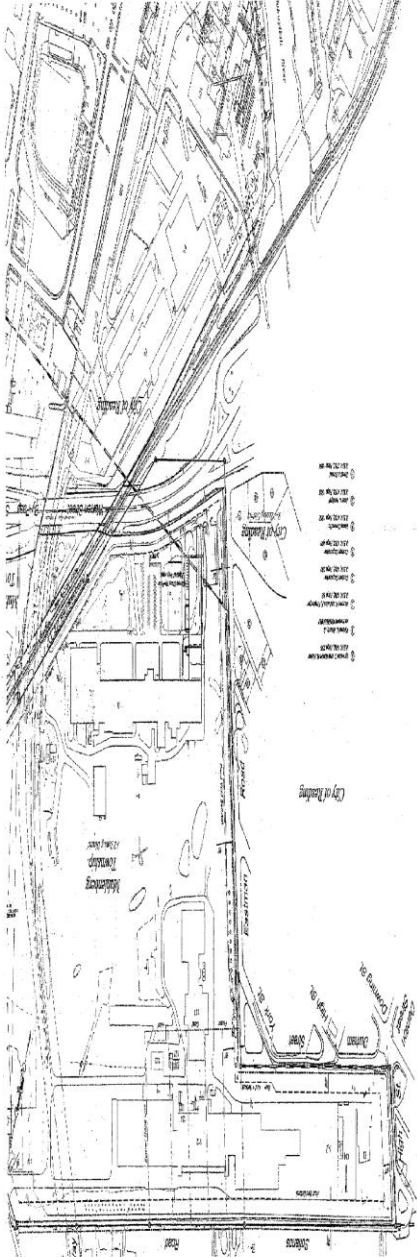
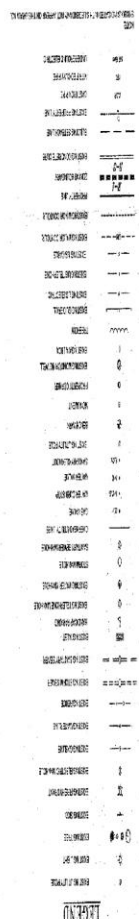
SECTION 6. This Ordinance shall become effective ten (10) days after its enactment by City Council.

ENACTED this _____ day of _____, 2011.

CITY OF READING,
Berks County, Pennsylvania

By: _____
President of Council

Attest: _____
City Clerk



BILL No. ____-2011

AN ORDINANCE

AN ORDINANCE AMENDING THE 2011 CITY OF READING FULL TIME POSITION ORDINANCE BY CREATING ONE (1) FOREMAN AND ONE (1) CLERK/TYPIST II POSITION.

Section 1. Amending the City of Reading 2011 Full-time Position Ordinance as follows:

- Creating one (1) Foreman
- Creating one (1) Clerk/Typist II

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2011

President of Council

Attest:

City Clerk

Managing Director

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

BILL No. ____-2011
AN ORDINANCE

AN ORDINANCE AMENDING THE 2011 CITY OF READING GENERAL FUND BUDGET BY AUTHORIZING THE TRANSFER OF FUNDS FROM THE HUMAN RESOURCES/RISK & SAFETY DIVISION SELF INSURANCE FUND WATER/SEWER MAIN BREAK LINE ITEM TO SELF INSURANCE FUND INCURRED LIABILITY CLAIMS AND CONSULTING SERVICES LINE ITEMS TO COVER UNBUDGETED AMOUNTS IN SAID LINE ITEMS.

Section 1. Amending the City of Reading 2011 General Fund Budget by authorizing the transfer of a total of \$140,000 in the Human Resources/Risk & Safety Division Self Insurance Fund Water/Sewer Main Break line item to the following accounts/line items within the Human Resources/Risk & Safety Division Self Insurance Fund budget:

1. Transferring \$120,000 to Self Insurance Incurred Liability Claims ; and
2. Transferring \$20,000 to Self Insurance Consulting Services.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2011

President of Council

Attest:

City Clerk

(Council Staff)

BILL NO. _____-2011

A N O R D I N A N C E

**AMENDING CHAPTER 5, CODE ENFORCEMENT OF THE CODIFIED
ORDINANCES OF THE CITY OF READING BY ADDING ALLEYS AND
RECYCLING STORAGE TO EXISTING QUALITY OF LIFE VIOLATIONS AND
AMENDING LANGUAGE IN THE CURRENT FINES AND PENALTIES SECTION**

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

Part 1: Chapter 5 – Code Enforcement of the City of Reading Codified Ordinances is hereby amended to add alleys and recycling storage to §14-103, Quality of Life Violations and amending language in §14-110, Fines and Penalties per Exhibit A as attached hereto.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 5: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 6: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2011

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

§14-101 Purpose – Lack of maintenance of properties, littering, improper storage of trash and rubbish, storage of inoperable /non registered vehicles, vendor operations without permits and accumulation of snow and ice are costly problems that contribute to the deterioration of property values and general disorder in a community. These problems degrade the physical appearance of the City which reduced business and tax revenue inhibiting economic development. The quality of life and community pride of the citizens of Reading are negatively impacted by the occurrences and existence of these activities. Recognizing these are community problems, the purpose of this ordinance is to promote the health, safety and general welfare of the City by helping to create a clean environment for the citizens of Reading.

§14-102 – Definitions The following words, terms and phrases when used in this Part shall be defined as follows, unless context clearly indicates otherwise:

Authorized Litter Receptacle is a litter collection receptacle which is placed on the public right-of-way or on public property by the City for use by the public to deposit small quantities of hand-held trash, but not household or commercial waste

Debris - any material upon the premises that is a residue of structural demolition, or any other material that is not neatly stored, stacked or piled in such a manner so as not to create a nuisance or become a harboring place or food supply for insects and rodents

Dumping includes, but is not limited to, depositing of litter, depositing durable goods (refrigerators, washers, dryers, etc.) small appliances, furniture, carpets, tires, vehicles, vehicle parts and automotive products and other such municipal waste, hazardous waste, residual waste and construction or demolition debris on public or private property, except as authorized by Part 1131, Solid Waste Storage, Collection and Disposal.

Garbage. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Hazardous Waste means any waste material or a combination of solid, liquid, semisolid, or contained gaseous material that because of its quantity, concentration, physical, chemical, or infectious characteristics may:

a. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; and

b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed.

Household Hazardous Waste (HHW) is waste which would be chemically or physically classified as a hazardous waste but is excluded from regulation as a hazardous waste because it is produced in quantities smaller than those regulated by the Pennsylvania Department of Environmental Protection, and because it is generated by persons not otherwise covered as hazardous waste generators by those regulations. Such HHW materials meet one of the following four classifications: Toxic; Flammable; Reactive; or Corrosive. HHW consists of numerous products that are common to the average household such as: Pesticides and herbicides, cleaners, automotive products, paints, and acids. (14262 §1 3/3/05)

Indoor Furniture - any and all pieces of furniture which are made for only inside use including, but not limited to, upholstered chairs and sofas, etc.

Junked Vehicle means any vehicle which presents a hazard or danger to the public or is a public nuisance by virtue of its state or condition of disrepair.

The following conditions, if present, are examples of a state or condition of disrepair:

- (1) Rusted and/or jagged metal on or protruding from the body of the vehicle;
- (2) Broken glass or windows on or in the vehicle;
- (3) Leaking of any fluids from the vehicle or deflated or flat tire(s);
- (4) Unsecured and/or unlocked doors, hood or trunk;
- (5) Storage or placement of the vehicle in an unbalanced condition, on concrete blocks or other similar apparatus;
- (6) Harboring of rodents, insects or other pests.

The foregoing examples are not inclusive of all conditions which may constitute a state or condition of disrepair. See also Motor Vehicle Nuisance.

Litter includes, but is not limited to, all waste material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, domestic animal waste, furniture or motor vehicle seats, vehicle parts, automotive products, shopping carts, construction or demolition material, recyclable material, dirt, mud and yard waste that has been abandoned or improperly discarded, deposited or disposed.

Local Responsible Agent means any person residing or working within the County of Berks designated to accept service on behalf of a legal owner or operator of a rental dwelling unit.

Mobile Vendor - a vendor or seller of food and/or goods from a vehicle or other conveyance upon the public streets or alleys of the City that does not typically remain stationary for more than approximately 10 minutes each hour.

Motor Vehicle - any type of mechanical device, capable or at one time capable of being propelled by a motor, in which persons or property may be transported upon public streets or highways, and including trailers or semi-trailers pulled thereby.

Motor Vehicle Nuisance – a motor vehicle with one or more of the following defects:

- A. Broken windshields, mirrors or other glass, with sharp edges.
- B. Broken headlamps, tail lamps, bumpers or grills with sharp edges.
- C. Any body parts, truck, firewall or floorboards with sharp edges or large holes resulting from rust.
- D. Protruding sharp objects from the chassis.
- E. Missing doors, windows, hood, trunks or other body parts that could permit animal harborage.
- F. One or more open tires or tubes which could permit animal harborage.
- G. Any vehicle suspended by blocks, jacks or other such materials in a location which may pose a danger to the public property owners visitors or residents of the property on which said vehicle is found.
- H. Any excessive fluids leaking from vehicle which may be harmful to the public or the environment.
- I. Disassembled body or chassis parts stored in on or about the vehicle.
- J. Vehicles that do not display a current valid license and registration.
- K. Such other defects which the Fire Department determines to be a danger to the general public or property.
- L. Motor vehicles parked, drifted or otherwise located which may interfere with flow of pedestrian or automobile traffic or impede emergency efforts.

Municipal waste means any garbage, refuse, industrial, lunchroom or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation or residential, municipal, commercial, or institutional establishments or from community activities and which is not classified as residual waste or hazardous waste as defined herein. The term does not include source separated recyclable materials or organic waste.

Notice of violation is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action.

Nuisance - any condition, structure or improvement which constitutes a danger or potential danger to the health, safety or welfare of citizens of the City or causes a blighting effect in City neighborhoods. See also Public Nuisance.

Person means every natural person, firm, corporation, partnership, association, or institution. (13008 §1 11/7/90)

Planter Strip is the non-concrete space in the sidewalk area filled with dirt and/or grass.

Private Property means any land and the improvements thereon owned by any person and includes front, side and rear yards; vacant lots, buildings and other structural improvement; walkways and alleyways; and parking areas, designed or used either wholly or in part for private residential, industrial or commercial purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public Officer means any police officer, authorized inspector, or public official designated by the Mayor to enforce the City Ordinances.

Public Nuisance means any condition or premises which is unsafe or unsanitary.

Public Right-of-Way means the total width of any land used, reserved or dedicated as a street, alley, driveway, sidewalk or utility easement, including curb and gutter areas.

Recyclable Material means material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products. These materials are designated by the regulations promulgated under Chapter 20 Solid Waste Part 1 Solid Waste. Such materials may include, but not be limited to, aluminum cans, ferrous and bi-metal cans, glass containers, plastic bottles and containers, mixed paper, white goods, major appliances, televisions, tires and large auto parts.

Residual Waste means any discarded material or other waste including solid, semisolid or contained gaseous materials resulting from construction, industrial, mining, and agricultural operations excluding municipal water and sewer operations.

Rubbish. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Shade Tree, unless otherwise specified, includes all trees, shrubs, and woody vegetation in the public right-of-way.

Sidewalk Area means the public right-of-way between the property line and the curbline or the established edge of the roadway.

Solid Waste - any waste including, but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials.

Storage - the containment of any municipal waste on a temporary basis in such a manner as not to constitute disposal as such waste, and it shall be presumed that the containment of any municipal waste in excess of 3 months constitutes disposal.

Tree Well is the non-concrete area surrounding a shade tree planted in a sidewalk area.

Vegetation is any planting that is cultivated and managed for edible or ornamental purposes such as vegetable gardens, trees, shrubs, hedges, flowers, etc.

Violation Ticket is a form issued by a police officer or public officer to a person who violates a provision of this Part. The violation ticket is an offer by the City of Reading extended to a person to settle a violation by paying the fine in lieu of a citation being issued against the violator.

Weeds shall be defined as all grasses, annual plants and vegetation, which meet any of the following criteria:

- a. exceed six (6) inches in height,
- b. exhale unpleasant noxious odors or pollen such as ragweed, dandelion and miscellaneous other vegetation commonly referred to as weeds or brush,
- c. may conceal filthy deposits or serve as breeding places for mosquitoes, other insects or vermin,
- d. may cause a public nuisance.

Weeds shall not include cultivated and managed vegetation planted for edible or ornamental purposes such as vegetable gardens, trees, shrubs, flowers, etc.

Yard. An open space on the same lot with a structure

§14-103 – Quality of Life Violations

QOL.001 Accumulation of rubbish or garbage – All ~~exterior property and~~ premises *and exterior property, including the sidewalk and rear alley*, and the interior of every structure, shall be free from any accumulation of waste, trash, rubbish or garbage.

QOL.002 Animal maintenance and waste/feces clean-up – People owning, harboring or keeping an animal within the City of Reading shall not permit any waste matter/feces from the animal to collect and remain on the property so as to cause or create an unhealthy, unsanitary, dangerous or offensive living condition. All waste from animals must be cleaned up on a daily basis.

QOL.003 Disposal of Rubbish or Garbage / Dumping – improper disposal of rubbish or garbage or dumping or disposing of rubbish or garbage on vacant, unoccupied, or other property

QOL.004 High weeds, grass or plant growth – All premises and exterior property, *including the sidewalk and rear alley*, shall be maintained free from weeds or plant growth in excess of 6 inches (152.4 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation. Cultivated flowers, gardens, trees and shrubs shall not be included as a violation of this ordinance.

QOL.005 Littering or scattering rubbish – No person shall throw, dump, place, sweep or dispose of any waste, trash, garbage or rubbish upon any public sidewalk, alley, street, bridge, public passageway, public parking area or on any public property.

QOL.006 Motor Vehicles – It shall be unlawful to store, park or place any unregistered, un-inspected, inoperative, unlicensed or nuisance motor vehicle on any premises. No vehicle shall, at any time, be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

QOL.007 Operating a food cart illegally – It shall be unlawful to operate any food cart without the proper permits and/or inspections. It shall also be unlawful to operate any food cart while any portion of the cart is inoperable.

QOL.008 Operating or vending without the proper permit/license – It shall be unlawful for any person, business, partnership or entity to operate, including but not limited too any business, vending cart, store or establishment without the proper permits

QOL.009 Outside placement of indoor appliances/furniture – It is prohibited to store or place any/all appliances or furniture including but not limited to ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, dishwashers, mattresses, recliners, sofas, interior chairs or interior tables on the exterior of any property for the purpose of sale or any other reason except for the temporary purpose to perform maintenance in said property.

QOL.010 Ownership presumption of waste, trash and/or recyclables for illegal dumping and illegal hauling – It shall be the responsibility of every owner and/or occupant to dispose of their waste, trash or recyclables in a proper manner. Any business or person who is unable to show proof that they have legally disposed of any waste, trash or recyclables, will be in violation of this ordinance. Should any person or business use an unlicensed hauler to dispose of their

waste, trash or recyclables, said person or business shall be in violation of this ordinance. Upon request of the Property Maintenance/Codes Administrator or his/her designee, any owner or occupant must show proof of their appropriate trash and/or recyclable hauler. Any Parts found within a municipal waste container, recycling container, garbage bag or loose trash/waste displaying the name and/or address of a person and/or persons, that trash or waste shall be presumed to be the property of such person and/or persons. It shall be unlawful for any person, business, partnership or entity to remove or haul waste, trash or recyclables without the proper approval or license. Any waste, trash or recyclables found not to be disposed of in accordance with this ordinance, will be a violation of this ordinance.

QOL.011 Placement or littering by private advertising matter – No person shall throw, place, sweep or dispose of litter or private advertising matter upon any public sidewalk, alley, street, bridge, public passageway, public parking area or any public property. No person, group, organization or entity will hang, place or advertise on any public property in any manner. No person, group, organization or entity will hang, place or advertise on any property that they do not have any ownership rights without written approval of said owner.

QOL.012 Snow and ice removal from sidewalks – Every owner, tenant, occupant, lessee, property agent or any other person who is responsible for any property within the City of Reading, is required to remove any snow or ice from their sidewalk. Any property located along Penn Street, Washington Street and/or Court Street or along Second (2nd) Street, Third (3rd) Street, Fourth (4th) Street, Fifth (5th) Street, Sixth (6th) Street, Seventh (7th) Street, Eighth (8th) Street and Ninth (9th) Street, between Penn Street and Washington Street, shall have all snow or ice removed within two (2) hours of the cessation of said snow and ice falling. Furthermore, the entire sidewalk must be free of all snow and ice in these areas. Any other property within the City of Reading shall have all snow and ice removed within four (4) hours of the cessation of said snow and ice falling and must create a path, free from any snow or ice, of three (3) feet on said sidewalk. Should any property be a place of business within the City of Reading, all snow and ice must be removed within two (2) hours of the cessation of said snow and ice falling. Any property deemed a business; the entire sidewalk must be free from any snow and ice. If/when the snow and/or ice cessation happens during the hours of darkness, the time limit of removal of all snow and ice begins at daybreak.

QOL.013 Storage containers for waste ~~or~~, trash and/or recyclables– The owner of every premise shall supply approved containers for waste~~or~~, trash **and/or recyclables** as well as be responsible for the removal of rubbish. All containers that store waste ~~or~~, trash **and/or recyclables** shall be durable, water tight and made of metal or plastic. Containers must have tight fitting covers and must be kept clean and odor free at all times. All containers must be stored in the rear of every property so said containers are not visible from the public right-of-way. Waste~~or~~, trash **and/or recycling** containers may only be placed in front of any property when darkness occurs the night before the day of the scheduled pick-up day. Once the licensed hauler removes the waste/trash from any property, all containers must be returned to the rear of any property before daybreak on the day following pick-up. (Example – Jim Smith’s trash collection day is Wednesday. Jim Smith may place his trash/**recycling** containers out front of his property on Tuesday night, once night falls. Jim Smith must place his trash/**recycling** containers in the rear of his yard before daybreak, on Thursday morning.)

QOL.014 Storing or discarding of appliances – Refrigerators and similar equipment including but not limited too washers, dryers, dishwashers and ranges not in operation shall not be discarded, stored or abandoned on any premises without first removing the doors.

QOL.015 Storing of hazardous material – It shall be unlawful for any person, business or entity to store combustible, flammable, explosive or other hazardous materials, including but not limited too paints, volatile oils and cleaning fluids or combustible rubbish including but not limited too wastepaper, boxes or rags unless the storage of said materials is stored in compliance with the applicable Building Codes.

QOL.016 Storing of recyclables – It shall be the responsibility of the owner of all residential, commercial and industrial property to ensure storage, collection and disposal of all recyclables from their property in such a manner not to create a public nuisance. Storage of recyclables is only ~~prohibited~~ **allowed** in approved containers which must be kept clean and sanitary at all times.

QOL.017 Storing or serving of potentially hazardous food – No person, business, partnership or entity shall store or serve potentially hazardous food. Including but not limited too out of date food, food being stored above or below the appropriate temperature, food being stored directly on a flooring surface, infestation problems at the location or serving food that had previously been open are considered a violation of this ordinance.

QOL.018 Swimming pools – Swimming pools shall be maintained in good repair at all times. They shall also be kept clean, safe, covered and sanitary as well.

QOL.019 Violating the terms of any vending license – It shall be unlawful to violate any term, part, portion or in total, any vending license. Any person, business, partnership or entity violating their vending license, shall be in violation of this ordinance.

§14-104 Authority for Issuance of Violation Ticket – Upon finding a Quality of Life Violation any City of Reading Property Maintenance Inspector appointed by the Property Maintenance/Codes Administrator of the City of Reading, may issue Quality of Life Violation Tickets to the owner and/or occupant of the property at issue or to the individual known to have violated this ordinance.

§14-105 Enforcement

A. The provisions of this Part shall be enforced by police officers, or any other public officer authorized to enforce ordinances.

B. Any violation of the provisions of this Part may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator.

§14-106 Service A violation ticket shall be served upon a violator by handing it to the -violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the

violation, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

§14-107 Separate Offense – Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

§14-108 Regulations – The Property Maintenance/Codes Administrator is hereby authorized to promulgate rules and regulations to implement and supplement the provisions of this Ordinance.

§14-109 Abatement of Violation – Any person or business violating this ordinance is hereby directed to satisfy the City of Reading and its citizens, upon issuance of a Quality of Life Ticket, by correcting the violation in question. A public officer is authorized and empowered to cause a violation to be corrected. The cost shall be determined by the Administrator of the Property Maintenance Division or designee in order that the City shall be compensated for both direct and indirect costs and expenses incurred.

The City of Reading and/or their contractor, per the direction of the city, reserves the right to abate the violation in question at the expense of the owner. . If the City has effected the abatement of the violation, the cost thereof may be charged to the owner of the property, tenant or offending party. A bill/invoice will be generated to the violator for payment separate from the Quality of Life Ticket which will also be paid separately.

In all instances where the City abates the violation, in addition to the fine set forth in the Quality of Life Ticket, the City is authorized to recover from the offending party, the owner of the property, or tenant the abatement charges and such other charges established by the Property Maintenance/Codes Administrator in the rules and regulations.

City of Reading Cleanup – The city reserves the right to perform any necessary work to abate any violation once seventy-two (72) hours passes from the date of issuance of the Quality of Life Ticket. Should the violation at the discretion of the Property Maintenance/Codes Administrator and/or his or her designee present imminent danger and/or pose a health hazard and/or risk, the city reserves the right to perform the abatement immediately. The city will perform this work at a rate of \$60.00 per hour per man and forward the cost of any material necessary for the abatement. The city reserves the right to charge an additional twenty percent (20%) on all material purchases to cover all miscellaneous expenses such as wear and tear on equipment.

Contractor Cleanup – The city reserves the right to direct a contractor to perform the abatement of the violation in question once seventy-two (72) hours passes from the date of issuance of the Quality of Life Ticket. Should the violation present imminent danger and/or pose a health hazard and/or risk, the city reserves the right to direct the contractor to perform the abatement immediately. The contractor will submit a bill for their work to the City of Reading and the city will forward these costs to the violator. The city reserves the right to add a thirty percent (30%) processing fee in addition to the cost of the contractor.

§14-110 FINES AND PENALTIES

A. Violation Ticket Fines

1. For the first of a violation of this Part within a twelve (12) month period, violation tickets shall be issued in the amounts of Twenty-Five Dollars (\$25) or Fifty Dollars (\$50) as set forth on the chart below.

2. For the second offense of a violation of this Part within a twelve (12) month period, violation tickets shall be issued in the amounts of Fifty Dollars (\$50) or One Hundred Dollars (\$100) ~~Dollars~~ as set forth on the chart below.

3. For the third *and subsequent* offense of a violation of this Part within a twelve (12) month period, violation tickets shall be issued in the amounts of One Hundred *and Fifty* Dollars (\$150) ~~Dollars~~ or Two Hundred and Fifty Dollars (\$250) as set forth on the chart below.

4. ~~For each offense subsequent to three offenses of this Part within a twelve (12) month period, amounts of violation tickets shall increase in the amount of One Hundred Fifty Dollars (\$150) or Two Hundred Fifty Dollars (\$250) accumulative for each subsequent offense. Any person who receives a violation ticket for any violation of this Part may within fifteen (15) days, admit the violation, waive a hearing and pay the fine in full satisfaction.~~

5. ~~Any persons who receives a violation ticket for any violation of this Part, except, may within fifteen (15) days, admit the violation, waive a hearing and pay the fine in full satisfaction.~~ *Any person violating this Part shall pay a fine as set forth herein for each offense plus all direct and indirect costs incurred by the City for the clean up and abatement of the violation.*

~~6. Any person who violating this Part shall pay a fine as set forth herein for each offense plus all direct and indirect costs incurred by the City for the clean up and abatement of the violation.~~

Violation number for Quality of Life Ticket Ordinance	Brief description of violations for Quality of Life Ticket Ordinance	Fine 1	Fine 2	Fine for every instance over 2 third and subsequent instance
QOL – 001	Accumulation of rubbish or garbage	\$25.00	\$50.00	\$100.00
QOL – 002	Animal maintenance and waste/feces clean-up	\$25.00	\$50.00	\$100.00
QOL – 003	Disposal of rubbish or garbage / Dumping	\$25.00	\$50.00	\$100.00
QOL – 004	High weeds, grass or plant growth	\$25.00	\$50.00	\$100.00
QOL – 005	Littering or scattering rubbish	\$25.00	\$50.00	\$100.00
QOL – 006	Motor vehicles	\$25.00	\$50.00	\$100.00
QOL – 007	Operating a food cart illegally	\$25.00	\$50.00	\$100.00
QOL – 008	Operating or vending without the proper permit/license	\$25.00	\$50.00	\$100.00
QOL – 009	Outside placement of indoor appliances/furniture	\$25.00	\$50.00	\$100.00
QOL – 010	Ownership presumption of waste, trash and/or recyclables for illegal dumping and illegal hauling	\$50.00	\$100.00	\$250.00
QOL – 011	Placement or littering by private advertising matter	\$25.00	\$50.00	\$100.00
QOL – 012	Snow and ice removal from sidewalks	\$25.00	\$50.00	\$100.00
QOL – 013	Storing containers for waste or trash	\$25.00	\$50.00	\$100.00
QOL – 014	Storing or discarding of appliances	\$25.00	\$50.00	\$100.00
QOL – 015	Storing of hazardous material	\$50.00	\$100.00	\$250.00
QOL – 016	Storing of recyclables	\$25.00	\$50.00	\$100.00
QOL – 017	Storing or serving of potentially hazardous food	\$50.00	\$100.00	\$250.00
QOL – 018	Swimming pools	\$25.00	\$50.00	\$100.00
QOL – 019	Violating the terms of any vending license	\$25.00	\$50.00	\$100.00

B. Violation Ticket Penalties

1. If the person in receipt of a Twenty-Five Dollar (\$25) ~~dollar~~-violation ticket does not pay the fine or request a hearing within fifteen (15) days, the person will be subject to a ten (\$10) dollar penalty for days sixteen (16) through thirty (30).

2. If the person in receipt of a ~~One Hundred Dollar (\$100) dollar~~ **Fifty Dollar (\$50.00)** violation ticket does not pay the fine or request a hearing within fifteen (15) days, the person will be subject to a Twenty-Five (\$25) dollar penalty for days sixteen (16) through thirty (30)..

3. If the person in receipt of a One Hundred **and Fifty** Dollar (\$150) ~~Dollar~~ or Two Hundred and Fifty Dollar (\$250) or higher violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a Fifty **Dollar** (\$50) ~~Dollar~~ penalty for days sixteen (16) through thirty (30).:-

4. Failure of the person to make payment or request a hearing within thirty (30) days of a violation ticket shall make the person subject to a citation for failure to pay.

5. If violations continuous or egregious, code official has right to issue citation without first issuing ticket provided notice has been given. Upon issuance of four (4) tickets for same violation, right is reserved for code official to issue citation for fifth and subsequent offenses.

C. Citation Fines

Any person, firm or corporation who shall fail, neglect or refuse to comply with any of the terms or provisions of this Part, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine not less than One Hundred Dollar (\$100) ~~Dollars~~, not more than One Thousand Dollar (\$1,000) ~~Dollars~~ on each offense or imprisoned no more than ninety (90) days, or both.

D. Restitution

The Magisterial District Judge may order the violator to make restitution to said real or personal property owner.

§14-111 APPEAL – A person in receipt of a violation ticket may appeal to the Property Maintenance / Codes Administrator by filing a request in writing within fifteen (15) calendar days of date of the violation ticket.

In order for an appeal to be deemed valid and a hearing date/time to be set, the following must be performed by the alleged violator requesting the appeal within fifteen (15) calendar days

1. All paperwork, including the appropriate appeal form, for the appeal must be submitted and complete within fifteen (15) calendar days that the Quality of Life Ticket was issued.
2. Payment of the fine must be in full which will be refunded within thirty (30) calendar days should the alleged violator win their appeal.

The appeal hearing will be before the Property Maintenance/Codes Administrator or his/her designee. The Administrator or his/her designee may uphold the appeal, deny the appeal, or may modify the violation ticket and/or any associated costs, fines or penalty amounts as he/she sees appropriate.

§14-112 Nonexclusive Remedies. The penalty and collection provisions of this Section shall be independent, non-mutually exclusive separate remedies, all of which shall be available to the City of Reading as may be deemed appropriate for carrying out the purposes of this Part. The remedies and procedures provided in this Part for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the City in the case of a violation of any other City of Reading Code or Codified Ordinances, whether or not such other code or ordinance is referenced in this Part and whether or not an ongoing violation of such other code or ordinance is cited as the underlying ground for a finding of a violation of this Part.

§14-113 Severability If any provision, paragraph, word, section or subsection of this Part is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect.

BILL NO. ____-2011

**AN ORDINANCE AMENDING THE CITY OF READING FEE SCHEDULE BY
REDUCING THE ANNUAL RENTAL REGISTRATION FEE.**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Fee Schedule by reducing the annual rental registration fee from \$100 per unit to \$100 per parcel.

SECTION 2. All other parts of the Ordinance remain unchanged.

SECTION 3. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

Enacted _____, 2011

Attest:

Council President

City Clerk

Submitted to the Mayor:

Date: _____

Received by Mayor's Office:

Date: _____

Approved by Mayor:

Date: _____

Vetoed by Mayor:

Date: _____



AGENDA MEMO

POLICE DEPARTMENT

TO: City Council
FROM: Chief William M. Heim
PREPARED BY: Chief William M. Heim
MEETING DATE: October 10, 2011
AGENDA MEMO DATE: October 3, 2011
REQUESTED ACTION: Amend the City of Reading Position Ordinance

RECOMMENDED ACTION:

To introduce an amendment to amend the city position ordinance, decreasing the number of sergeant positions within the police department from 26 to 23.

RECOMMENDATION:

It is the recommendation of the police department and administration to decrease the number of sergeant positions within the Reading Police Department.

BACKGROUND:

This recommended action is the result of the reduction in force and some reorganization within the department. This action will not result in any demotions as there are current vacancies that will simply not be filled.

BUDGETARY IMPACT:

This will be a cost saving measure to the city.

PREVIOUS ACTION:

Not applicable.

SUBSEQUENT ACTION:

To vote to approve/disapprove the amendment

RECOMMENDED BY:

The Mayor, Managing Director, and Police Chief

RECOMMENDED MOTION:

To amend the city position ordinance, decreasing the number of sergeant positions within the police department from 26 to 23.

BILL NO. ____-2011
AN ORDINANCE

AN ORDINANCE AMENDING THE 2011 CITY OF READING FULL TIME POSITION ORDINANCE BY REDUCING THE NUMBER OF SERGEANT POSITIONS IN THE READING POLICE DEPARTMENT.

Section 1. Amending the City of Reading 2011 Full-time Position Ordinance in the Police Department area as follows:

- Decreasing the number of sergeant positions within the police department from 26 to 23.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2011

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

AGENDA MEMO

COMMUNITY DEVELOPMENT

TO: CITY COUNCIL
FROM: STEVEN HAVER, HOME PROGRAM SPECIALIST
MEETING DATE: September 26, 2011
AGENDA MEMO DATE: September 21, 2011
REQUESTED ACTION: TO APPROVE AMENDMENTS TO THE FY 2010 and FY2011 (36TH and 37th YEAR - JANUARY 1, 2010 TO DECEMBER 31, 2011) HOME ACTION PLANS

CD will ask City Council to pass separate resolutions for these two projects at the September 26, 2011 City Council meeting.

BACKGROUND: The Community Development Department currently has available unprogrammed or unassigned HOME funds of \$612,982.70. CD wishes to provide funding to local non-profit agencies for the rehabilitation and construction of affordable housing in Reading in accordance with HOME program regulations. These activities are both City-wide and in specifically focused target neighborhoods.

Funding will be allocated as follows:

Habitat for Humanity

- Allocate \$100,000.00 of unprogrammed HOME funds to Habitat for Humanity for renovation of agency-owned properties throughout the City. Total project budget \$200,000.
- Cancel 2010 Blighted Property Review Committee Acquisition and Rehabilitation funding of \$78,000 and cancel the 2010 Neighborhood Home Ownership project funding of \$100,000 and reallocate \$178,000 to fund Habitat for Humanity for blighted property remediation through acquisition and renovations of properties, new construction, and/or repairs to owner-occupied properties in the target neighborhoods. With Habitat's proposed contribution, the total project budget will be \$600,000.

Neighborhood Housing Services of Greater Berks (Current CHDO partner):

- Provide \$23,859 in 2011 CHDO operating funds and \$47,178 in 2012 CHDO operating funds to increase rehabilitation capacity.
- Provide HOME Admin funds as necessary for NHS to administer and coordinate acquisition, rehabilitation and home ownership programs for affordable housing in the target neighborhood(s).
- Provide additional HOME Entitlement or CHDO Reserve funds for projects identified as appropriate.

BUDGETARY IMPACT: None.

PREVIOUS ACTION: Approval of 2010 and 2011 HOME Program Action Plans

SUBSEQUENT ACTION: Approval of resolutions following the 30-day comment period

RECOMMENDED BY: Community Development Department, Mayor's Office

RECOMMENDED MOTION: To approve a Council Resolution authorizing the Mayor to execute a FFY2011 (37th CD year - January 1, 2011 to December 31, 2011) Action Plan Amendment to allocating unprogrammed funds and canceling incomplete 2010 activities and reassigning their funding as specified.

Cc: Daniel Robinson
Thomas McMahon
Carl Geffken
Dan Wright
Neil Nemeth

RESOLUTION No. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF READING AUTHORIZING THE MAYOR TO EXECUTE A FFY2011 (37TH CD YEAR - JANUARY 1, 2011 TO DECEMBER 31, 2011) ACTION PLAN AMENDMENT TO REVISE 2010 ACTIVITIES AND TO ALLOCATE UNPROGRAMMED HOME FUNDS TOTALLING \$278,000 TO HABITAT FOR HUMANITY FOR THE CONDUCT OF HOMEOWNER REHABILITATION, ACQUISITION AND REHABILITATION AND/OR NEW CONSTRUCTION IN THE CITY OF READING. THESE ACTIVITIES WILL BE ELIGIBLE UNDER HOME PROGRAM REGULATIONS AND FINAL RULE AT 24 CFR 92

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for Community Planning and Development programs which will serve as (1) a planning document for the City that builds on a participatory process at the grass roots level; (2) an application for federal funds under HUD's formula grant program; (3) a strategy to be followed in carrying out HUD programs; and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2009 to FFY2013 five year Consolidated Plan (35th to 39th years - January 1, 2009 to December 31, 2013) specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during a five year period;

WHEREAS, the FFY2011 (37th year - January 1, 2011 to December 31, 2011) Action Plan specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during the program year;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The FFY2011 (37th CD year - January 1, 2011 – December 31, 2011) Action Plan is amended to allocate \$100,000 in unprogrammed HOME funds to Habitat for Humanity for a property rehabilitation program in various locations City-wide. In addition, 2010 Action Plan projects for Blighted Property Review Committee Residential Rehabilitation program and Neighborhood Home Ownership Acquisition and Rehabilitation program are cancelled and reassigned to Habitat for Humanity in the amount of \$178,000. This allocation shall be for the development of affordable housing as defined in 24 CFR 22.205 and will occur primarily in target neighborhood(s) as identified by Reading's housing strategy.

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.

PASSED COUNCIL _____, 20____

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

RESOLUTION No. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF READING AUTHORIZING THE MAYOR TO ALLOCATE \$71,037 IN CHDO OPERATING FUNDS TO NEIGHBORHOOD HOUSING SERVICES (NHS) OF GREATER BERKS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO). IN ADDITION, NHS SHALL BE ALLOCATED ADMINISTRATIVE FUNDS AS NECESSARY TO DEVELOP, MANAGE AND ADMINISTER AFFORDABLE HOUSING PROGRAMS IN COMPLIANCE WITH HOME PROGRAM REGULATIONS AND FINAL RULE AT 24 CFR 92

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for Community Planning and Development programs which will serve as (1) a planning document for the City that builds on a participatory process at the grass roots level; (2) an application for federal funds under HUD's formula grant program; (3) a strategy to be followed in carrying out HUD programs; and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2009 to FFY2013 five year Consolidated Plan (35th to 39th years - January 1, 2009 to December 31, 2013) specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during a five year period;

WHEREAS, the FFY2011 (37th year - January 1, 2011 to December 31, 2011) Action Plan specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during the program year;

WHEREAS, this action is consistent with the Action Plan objectives and Reading's Citizen Participation Plan

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

HOME CHDO Operating funds be awarded to NHS to increase rehabilitation capacity and provide project management and administration of rehabilitation activities in target neighborhood(s).

- a. Provide \$23,859 in 2011 CHDO operating funds and \$47,178 in 2012 CHDO operating funds to increase rehabilitation capacity.
- b. Provide HOME Admin funds as necessary for NHS to administer and coordinate acquisition, rehabilitation and home owner programs for affordable housing in the Target Neighborhood(s).
- c. Provide additional CR/EN funds for projects identified as appropriate

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.

PASSED COUNCIL _____, 20____

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

RESOLUTION No. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF READING AUTHORIZING THE MAYOR TO EXECUTE A FFY2011 (37TH CD YEAR - JANUARY 1, 2011 TO DECEMBER 31, 2011) ACTION PLAN AMENDMENT TO ALLOCATE \$400,000 IN UNPROGRAMMED HOME FUNDS TO BERKS HOUSING DEVELOPMENT PARTNERSHIP (BHDP), A COMMUNITY HOUSING DEVELOPMENT ORGANAZTION (CHDO). BHDP SHALL BE ALLOCATED CHDO OPERATING FUNDS TO DEVELOP, MANAGE AND ADMINISTER AFFORDABLE HOUSING PROGRAMS IN COMPLIANCE WITH HOME PROGRAM REGULATIONS AND FINAL RULE AT 24 CFR 92

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for Community Planning and Development programs which will serve as (1) a planning document for the City that builds on a participatory process at the grass roots level; (2) an application for federal funds under HUD's formula grant program; (3) a strategy to be followed in carrying out HUD programs; and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2009 to FFY2013 five year Consolidated Plan (35th to 39th years - January 1, 2009 to December 31, 2013) specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during a five year period;

WHEREAS, the FFY2011 (37th year - January 1, 2011 to December 31, 2011) Action Plan specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during the program year;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The FFY2011 (37th CD year - January 1, 2011 – December 31, 2011) Action Plan is amended to allocate \$400,000 in unprogrammed HOME funds to Berks Housing Development Partnership, a Community Housing Development Organization as defined in 24 CFR 92.300. BHDP shall also be allocated CHDO operating funds in the amount of 28,655 from 2010 funds and \$23,859 in 2011 funds. This allocation shall be for the development of affordable housing as defined in 24 CFR 22.205, and for operations and administration as defined in 24 CFR 92.207 and 92.208.

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.

PASSED COUNCIL _____, 20____

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

RESOLUTION NO. _____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

That William Bender is appointed to the Citizen's Advisory Board
with a term ending December 31, 2012.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

That Dennis Straub is reappointed as an alternate to the Animal Control Board with a term ending October 10, 2014.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:

That Eddie Moran is appointed to the Recreation Commission a term
ending December 31, 2012.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

That Otis Smith is appointed to the Recreation Commission with a term ending December 31, 2013.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:**

That William Hall is appointed to the Recreation Commission with a
term ending December 31, 2014.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk